

Election Procedures Review  
Of  
**Adams County**  
State of Washington  
2006 Special Election



Conducted by the  
Office of the Secretary of State  
Election Certification and Training Program

# Introduction



The Washington State Legislature enacted legislation in 1992 mandating that the Office of the Secretary of State review county election procedures and practices. The Election Certification and Training Program was established within the Elections Division of the Office of the Secretary of State to conduct reviews and to provide for the certification of election administrators. In 2005, the Legislature expanded the Election Certification and Training Program to require that each County Auditor's Office be reviewed at least once every three years.

The election review process is governed by RCW 29A.04.510 through 29A.04.590 and Chapter 434-260 of the Washington Administrative Code. Reviews are conducted at regular intervals in conjunction with a county primary, special or general election, at the direction of the Secretary of State.

Pursuant to RCW 29A.04.570(1)(b), the Election Certification and Training Program conducted an election review in Adams County during the 2006 February Spring Election cycle. Tracy Buckles, Program Specialist, represented the Election Certification and Training Program during the review. Nancy McBroom, Adams County Auditor and Heidi Hunt, Elections Supervisor participated on behalf of the Adams County Auditor's Office.

Adams County allowed the reviewer to thoroughly review and examine all aspects of the election processes. The county provided documentation and materials during the review which greatly contributed to a successful examination process.

Both the reviewer and the Adams County Auditor's Office approached the review in a spirit of cooperation. The State commends the Adams County Auditor's Office for its organization and preparation in making the review process a positive and useful experience.

Contents of this report are based on observations of election practices and procedures and on interviews with county election personnel. The reviewer obtained information based on the actual observation of a particular procedure, based on verbal explanation or written procedures. In all cases, the predominant concern is whether or not the county's actions constitute compliance with the intent of statutes and rules.

The purpose of this review report is to provide Adams County Auditor's Office with a useful evaluation of its election procedures and policies and to encourage procedural consistency in the administration of elections throughout the state. This review report includes a series of recommendations and/or suggestions that are intended to assist Adams County in improving and enhancing its election processes.

The reviewer is statutorily prohibited from making any evaluation, finding, or recommendation regarding the validity of any primary or election or of any canvass of the election returns. Consequently, this review report should not be interpreted as affecting, in any way, the validity of the outcome of any election or of any canvass of election returns.

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# Section 1

## Overview and Recommendations

In the course of this review, the reviewer observed pre-election tasks, election procedures, post-election procedures, canvassing, and certification of the election. The County Auditor or election staff verbally explained some tasks the reviewer was unable to observe.

Overall, Adams County has very good elections procedures. The reviewer was impressed with the ballot security and ballot reconciliation procedures. The daily mail ballot reconciliation procedures were excellent; therefore, when the personnel tabulated ballots on Election Day, they were able to verify that they had accounted for all of the ballots tabulated that day. Reconciling on a daily basis ensures that all ballots are carefully accounted for and makes the final election reconciliation a much smoother process.

The Elections Department has a custom made ballot box on wheels that accommodates all of the ballots during initial stages of processing. After the ballots are tabulated, they are secured in ballot boxes. In both cases, the boxes are secured with numbered seals and seal logs record all access to the boxes.

Some of the recommendations in this report require relatively minor changes in the county's procedures. However, because elections are so complicated, even minor changes can have a major impact on the election process.

The following recommendations will improve and enhance the county's election procedures and policies.

## Review Recommendations

### 1. Format of verification notices

The Adams County Auditor's Office correctly sends a verification notice to any voter who has not supplied the County with all of the information necessary to register to vote. The notice has a place for the Office to indicate which information is lacking and informs the voter that he or she needs to supply the information in order to be registered. The information requested on the verification notice is a physical address, mailing address, date of birth, signature, or driver's license number or last four digits of the voter's social security number.

RCW 29A.08.110 requires in part, "An application is considered complete only if it contains the applicant's name, complete valid residence address, date of birth, signature attesting to the truth of the information provided, a mark in the check-off box confirming United States citizenship, and an indication that the provided driver's license number, state identification card number or Social Security number has been confirmed by the secretary of state. If it is not complete, the auditor shall promptly mail a verification notice of the deficiency to the applicant."

**Recommendation:** The Adams County Auditor's Office should revise the verification notice. It is not acceptable to reject an application if no mailing address is provided. Therefore, that option should be removed. The notice should also include the requirement that the voter confirm citizenship.

### 2. Format of confirmation notices

The Adams County Auditor's Office correctly sends a confirmation notice to a voter upon notification that the voter has moved. The confirmation notice has a place for the voter to indicate the current physical address, mailing address, and a place to indicate that he or she has moved out of the county and wishes to have the registration canceled.

RCW 29A.08.635 requires in part, "The notice must inform the voter that if the voter does not respond to the notice and does not vote in either of the next two federal elections, his or her voter registration will be cancelled."

**Recommendation:** The Auditor's Office should revise the confirmation notice and include the warning statement included in the RCW above.

### 3. Questionnaires to cities, towns, and districts

The Adams County Auditor's office sent a notice to the junior taxing districts in the county on June 30, 2005 requesting current information from the districts regarding incumbents, salaries, etc. The Auditor's Office also provided general information to the districts about upcoming elections.

WAC 434-215-005 requires this notice be sent to the jurisdictions prior to May 1 of each year.

**Recommendation:** The Adams County Auditor's Office should ensure that this questionnaire is sent to the jurisdictions prior to May 1 of each year to comply with the law.

4. Internal ballot tabulation testing

The Adams County Auditor's Office conducted a test of the vote tabulation equipment on February 3, 2006. The test was conducted using the test deck prepared by the vendor of the equipment. While it tested every issue on the ballot, five out of the eight issues received the same number of votes for both options in the measure. For example, Levy Yes = 1 vote and Levy No = 1 vote. Additionally, none of the measures were tested with an undervote and only three were tested with an overvote.

WAC 434-335-340 requires in part, "The test should verify that the system will correctly count the votes cast for all candidates and measures appearing on the ballot. The test must be conducted by processing a preaudited group of ballots, marked with a predetermined number of votes, for each candidate and for and against each measure. For each office that has two or more candidates and for each measure, the test must include an overvote and undervote."

**Recommendation:** While it is acceptable to use the test deck provided by the equipment vendor, it is crucial that the County augment the deck by adding votes where needed to conduct an adequate test. In order to verify that votes are accumulating for each candidate/measure, each response position should have a different number of votes. For example, if the vendor's test deck has one vote for Levy Yes and one vote for Levy No, the county should add at least one vote for Levy No so the County can verify that the votes are accumulating and the responses are in the right order. Additionally, the county should add one overvoted ballot and one undervoted ballot for each measure.

5. Processing ballots with unsigned affidavits

When the Adams County Auditor's Office receives an envelope that has an unsigned affidavit, the Auditor's Office photocopies the envelope and mails the photocopy along with a letter asking the voter to sign the affidavit. Because the design of the envelopes now requires a flap to cover the voter's information, the photocopy only captures the signature line for the voter, but not the affidavit.

WAC 434-250-120 requires, "*A ballot shall only be counted if: ... (2) The affidavit is signed with a valid signature...*"

WAC 434-261-050 requires, "*...The voter must sign the oath that appeared on the envelope.*"

**Recommendation:** The Adams County Auditor's Office must ensure that when requesting a signature from a voter who failed to sign the envelope, the voter actually signs the affidavit.

6. Polling places

Adams County Elections Department was adequately prepared to offer services to voters as a polling place. The office was prepared with provisional ballots and a log sheet with all of the information that would have been included in a poll book.

WAC 434-250-330 requires that in counties conducting elections entirely by mail, services that would have been provided at the polling place must at a minimum be provided at the Auditor's Office.

WAC 434-253-025 requires, in part, "The following items must be posted or displayed at the polling place while it is open: (2) HAVA voter information poster; (3) Voting instructions printed in at least 16 point bold type....."

**Recommendation:** The reviewer recommends that Adams County post the information listed above in the Auditor's Office during the hours the polling place is open.

7. Canvassing board authorization for processing ballots

The Adams County Canvassing Board has a written authorization on file in the Auditor's Office that is effective for all elections in 2006. The authorization allows five staff persons from the Auditor's Office to process mail ballots as delegates of the Canvassing Board.

WAC 434-262-015 requires in part, "The county auditor, prosecuting attorney, and chair of the legislative authority, or designees as per chapter 29A.60 RCW shall be responsible for the performance of all duties of the county canvassing board, as set forth in 29A.40 and 29A.60 RCW, and the rules on canvassing adopted by the secretary of state. These duties shall be performed by members of the board or they may delegate in writing representatives to perform these duties."

WAC 434-261-070 requires in part, "Duplicate the ballots if authorized by the canvassing board."

**Recommendation:** The Adams County Canvassing Board should add duplication processes to those duties delegated to the Auditor's staff.

8. Canvassing Board manual

While the Adams County Canvassing Board technically has a Canvassing Board Manual on file in the Auditor's Office, it was adopted in 1996 and is not current or applicable to the actual policies and procedures practiced by the Board or the representatives.

RCW 29A.60.140, requires in part, "(4) The county canvassing board shall adopt administrative rules to facilitate and govern the canvassing process in that jurisdiction."

**Recommendation:** Creating and adopting an updated Canvassing Board Manual must be a high priority for the Board and the Auditor's Office. It is critical to the consistent, compliant conduct of canvassing procedures in Adams County.

## Section 2

### County's Response to Draft Review Report

The Election Certification and Training Program issued a draft review report to the Adams County Canvassing Board in April 2006. In accordance with WAC 434-260-145, we provided Adams County with a 10-day timeframe in which to respond, in writing, to recommendations listed in the draft report.

The Adams County Auditor provided the following response to the draft review report. The signed original of their response is on file in the Office of the Secretary of State.





## County of Adams

State of Washington

Office of County Auditor

NANCY McBROOM, County Auditor

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May 10, 2006

Tracy Buckles  
Elections Program Specialist  
PO Box 40229  
Olympia WA 095-4-0229

RE: Election Review

Dear Tracy,

Below you will please find Adams County's responses to the review process conducted by your office.

1. Our verification notice has been revised to comply with RCW 29A.08.110, so as not to reject for absence of a mailing address, and to include the requirement that the voter confirm citizenship.
2. We have revised our registered voter confirmation notice to comply with RCW 29A.08.635, so as to include the warning that registration will be cancelled if the voter does not respond and does not vote in either of the next two federal elections.
3. We have duly noted in our Policies and Procedures Manuel, under the category of 'Candidate Filing', that the questionnaires to cities, towns and districts regarding incumbents, salaries, etc., be mailed out prior to May 1.
4. We have added a section to our Policy and Procedures Manuel under L&A testing instructing that our internal test decks will be programmed so that each office that has two of more candidates and each measure has a different number of votes, so as to verify that votes are accumulating correctly and the responses are in the right order. We have also instructed that an overvote and an undervote be added to each race and issue.
5. Under Absentee Voting, we have added a bullet to Absentee Ballot Procedures, unsigned affidavit, to ensure that when a copy of the envelope is taken, it includes a copy of the affidavit for the voter to sign.

6. We have added a new section to our Policy and Procedures Manual to comply with WAC 434-250-330 that names the Auditor's Office as a polling place and therefore to be in compliance with WAC 434-253-025, we will display a HAVA voter information poster and a Voting instructions poster that will be printed in at least 16 point bold type. Both of these posters will be bi-lingual, as required by Federal Law.
7. Under the section 'Canvassing Board – Designation', a bullet has been inserted that specifically adds the authority to duplicate ballots to the duties delegated to the Auditor's staff.
8. The Canvassing Board Manual has been updated to reflect current RCW's and WAC's. The Auditor has reviewed and signed at this time. The manual has been distributed to the other two board members for review. They have not signed and returned as of this date.

Tracy, as always, it has been a pleasure to work with you and the Office of the Secretary of State during this review. If you have any questions on any of my answers, please give me a call or e-mail.

Thank you,

  
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Nancy McBroom  
Adams County Auditor

## Section 3

### Conclusion

The reviewer commends Adams County Auditor's Office for its election procedures. The attention to detail, organization, and dedication to the election process was evident in every area.

Before conducting another election, the staff in the elections division should change the procedures for conducting a logic and accuracy test to ensure a thorough test of all aspects of the ballot tabulating system.

The County Canvassing Board, in conjunction with the Elections Department, should make creating/updating a canvassing board policies and procedures manual a priority. The manual is not only required by law, but it is crucial in documenting their compliance with election laws and ensuring consistency from one election to the next.

The reviewer made a series of recommendations for consideration by the Adams County Auditor and County Canvassing Board. These are meant to enhance and improve Adams County's procedures. None of the recommendations in this report would in any way affect the integrity of the election. The Office of the Secretary of State is available for any additional assistance the County Auditor may request.

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Review Report Prepared by:

Tracy Buckles  
Election Program Specialist  
Office of the Secretary of State



\_\_\_\_ May 9, 2006 \_\_\_\_  
Date

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Signature